



YUMA COUNTY BOARD OF ADJUSTMENT MEETING PUBLIC NOTICE & AGENDA

DATE: October 21, 2014
TIME: 1 P.M.
PLACE: Aldrich Auditorium, 2351 West 26th Street, Yuma, Arizona

MEMBERS: Charles Saltzer, Chairman, District 2
Joe Harper, Vice-Chairman, District 4
Ron Rice, District 1
Neil Tucker, District 3
Tim Eisenmann, District 5

STAFF: Monty Stansbury, AICP, Planning Director
Maggie Castro, Planning Section Manager
Chad Bahr, AICP, Senior Planner
Javier Barraza, Senior Planner
Brandi Siqueiros, Office Specialist II

ADVISORS: Diana Gomez, Director, County Health District

1. Call to Order and Roll Call.
2. Pledge of Allegiance.
3. Approval of the Board of Adjustment meeting minutes from July 15, 2014 and September 16, 2014.
4. **Variance Case No. 14-11:** Charles Bush, agent for Dave McDowell, requests a variance from the Yuma County Zoning Ordinance, Section 1011.00(1) to allow an east side yard setback of 5 feet for the construction of a garage and Section 601.05, Plate VI-2, to allow a front yard setback of 4 feet for an existing shade structure on a parcel 11,326 square feet in size zoned Rural Area-20 acre minimum (RA-20), Assessor's Parcel Number 459-59-010, located at 10580 East Lakeview Road, Yuma, Arizona.
5. **Variance Case No. 14-12:** Mike Gallagher of Wavelength Management, agent for Robert & Deborah Nickerson Trust 4-05-00, requests a variance from the Yuma County Zoning Ordinance, Section 1115.05(B) - Wireless Communication Facilities Height and Setback Requirements. Approval of the variance will allow a communication facility tower of 150 feet in height a setback of 120 feet from the north lot line and a setback of 90 feet from the west lot line on a parcel 21.27 gross acres in size zoned Rural Area-20 acre minimum (RA-20). Property is Assessor's Parcel Number 182-01-004, located on the south side of County 3rd Street approximately 0.5 miles west of Avenue 16E, Yuma, Arizona.
6. Adjourn.

Note: For further information about this public hearing/meeting, please contact Maggie Castro, Planning Section Manager, phone number (928) 817-5173; or e-mail contactdds@yumacountyaz.gov or TDD/TTY (Arizona Relay Service): call in 1-800-367-8939, call back 1-800-842-4681. Individuals with special accessibility needs should contact the individual indicated above before the hearing/meeting with special need requirements.

Note: The Board may vote to hold an Executive Session for the purpose of obtaining legal advice from the Commission's attorney on any matter listed on the agenda, pursuant to A.R.S. §38-431(A)(3).

AIR-5949

BOA Agenda

Meeting Date: 10/21/2014

Submitted For: Monty Stansbury

Submitted By: Chad
Bahr

Department: Development Services Dept.

Information

1. REQUESTED ACTION:

Variance Case No. 14-11: Charles Bush, agent for Dave McDowell, requests a variance from the Yuma County Zoning Ordinance, Section 1011.00(1) to allow an east side yard setback of 5 feet for the construction of a garage and Section 601.05, Plate VI-2, to allow a front yard setback of 4 feet for an existing shade structure on a parcel 11,326 square feet in size zoned Rural Area-20 acre minimum (RA-20), Assessor's Parcel Number 459-59-010, located at 10580 East Lakeview Road, Yuma, Arizona.

2. INTENT:

The proposed garage to be established (constructed) upon the subject parcel with an east side yard setback of 5.0 feet and to allow the continued existence of a shade structure with a front yard setback of 4 feet.

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

Staff recommends denial of Variance Case No. 14-11.

Attachments

Staff Report

Case Map

Revised Site Plan

Revised Application

Letter of Authorization

Comments from Building Safety

STAFF REPORT
Yuma County Planning and Zoning Division

Prepared for the Hearing of
October 21, 2014
Yuma County Board of Adjustment

CASE NUMBER: Variance Case No. 14-11

OWNER: Dave McDowell

CASE PLANNER: Chad Bahr, Senior Planner

DATE PREPARED: October 9, 2014

DESCRIPTION OF REQUEST: Charles Bush, agent for Dave McDowell, requests a variance from the Yuma County Zoning Ordinance, Section 1011.00(1) to allow an east side yard setback of 5 feet for the construction of a garage and Section 601.05, Plate VI-2, to allow a front yard setback of 4 feet for an existing shade structure on a parcel 11,326 square feet in size zoned Rural Area-20 acre minimum (RA-20), Assessor's Parcel Number 459-59-010, located at 10580 East Lakeview Road, Yuma, Arizona.

The applicant's reason for requesting this variance:

To allow the construction of a new garage and to allow an existing shade structure to remain on the parcel.

VARIANCE ALLOWANCES:

The proposed garage is being requested with the following deviation from the zoning ordinance:

- 1) Setback of 5.0 feet from the east side property line where 10.125 feet is required.

The existing shade structure is being requested with the following deviation from the zoning ordinance:

- 1) Setback of 4 feet from the front property line where 50 feet is required to allow the continued existence of the shade structure.

BACKGROUND

The subject property is lot 49 of Castle Dome Cabin Sites (FKA State Lease No. 88684) located in the Martinez Lake area. These lots were established originally as federal leases and then later became a part of the Arizona State Land Trust system of leased lands. Over time these lands were sold to lessees and other entities. The subject property and adjacent areas are zoned Rural Area-20 acre minimum (RA-20). The subject parcel is 11,326 net square feet in size and is a nonconforming parcel of record.

The subject parcel is the location of site-built single family residence approximately 36 feet by 100 feet in size located along the western property line. The unit is served by a private individual septic system. The parcel also has a history of parking for both a recreational vehicle (RV) in the north-central portion of the property and boat located in the northeast corner of the property. The latter area is the location for the proposed garage with a setback of thirty (30) feet in the front yard setback and five (5) feet in east side yard. A 40 feet by 30 feet shade structure is located in front of the residence and constructed without a building permit sometime between 1994 and 1996 according to aerial imagery.

According to Section 601.07 of the Yuma County Zoning Ordinance, accessory buildings require the same setbacks as the principal structure as stated in Plate VI-2 of the ordinance. Section 1011.00 of the Yuma County Zoning Ordinance (YCZO) states that any lot of record which does not conform to the minimum lot area or width requirements for the zoning district in which it is located may be used for any use permitted in the zoning district. Each side yard setback on lots of nonconforming width may be reduced to ten percent of the width of the lot, but in no case shall side yard setback be less than five feet on each side.

Proposed Garage:

Since the definition of lot width found in Section 202.00 of the YCZO produces a width of 101.25 feet, the side yard setback for the subject property is 10.125 feet (10% of 101.25 feet) because the subject property is a pre-ordinance nonconforming parcel. Therefore, the east side yard setback reduction would be from the required 10.125 feet to five (5) feet, thus, a reduction of 5.125 feet for the side yard setback.

Existing Shade Structure:

Currently, this shade structure is four (4) feet from the front property line and two (2) feet from the west side property line. Since the setback for the site-built home is nonconforming, the shade structure can be constructed with a setback of two (2) feet from the west side property line. The reduction amount for the front yard setback would be from the required 50 feet down to four (4) feet, thus, a reduction of 46 feet.

STAFF ANALYSIS

Section 403.03 of the Zoning Ordinance:

- A. *Variances under section 403.02 shall be granted only when, because of peculiar conditions applicable to the property, the strict application of the Zoning Ordinance deprives such property of privilege enjoyed by other property owners in the zoning district.*

GARAGE: Staff finds there are peculiar conditions applicable to the property. Although the lot is flat, stony terrain and the topography is not unusual, the property's small size limit the ability to construct an accessory structure within the building envelope required by the RA-20 district which requires a minimum parcel size of 20 acres. The large setbacks required by the RA-20 zoning district impede the construction of the garage without approval of variance to reduce the side yard setback.

SHADE STRUCTURE: Staff finds there are no peculiar conditions applicable to the property to grant a variance for the reduction of the front yard setback for the existing shade structure. The condition that requires this portion of the variance was created when the shade structure was constructed without obtaining the required building permit and was built without meeting the required principal dwelling setback for the front yard. The existing residence is 30 feet from the front property line.

- B. *Variances are available only in cases where there is a hardship arising from conditions or circumstances unique to the development of a particular piece of land, not from personal considerations, personal convenience or financial hardships.*

GARAGE: Staff finds there are hardships arising from conditions or circumstances unique to the development of this property for construction of the garage. The small square footage of the subject property creates a hardship for development of the garage. The parcel is 11,326 square feet in size. The RA-20 district requires a minimum parcel size of 20 acres, setbacks of 50 feet in the front and side yards and a setback of 34 feet in the rear yard. This limits the ability to build the garage within the building envelope required by the RA-20 district.

SHADE STRUCTURE: Staff finds there are no hardships arising from conditions or circumstances unique to the development of this property for the construction of the shade structure. The existing residence has a nonconforming setback of 30 feet in the front yard. The shade structure was constructed without a building permit and does not meet the required principal building setback for the front yard.

- C. *Any motion to grant a variance by the Board of Adjustment shall include specific peculiar conditions applicable to the property, which exist to cause granting of a variance.*

GARAGE: Staff finds there are specific peculiar conditions applicable to this property to warrant granting of a variance for the garage. Although the property does not contain any unique planting of notable size and the parcel is not of unusual shape or topography, the property's small square footage limit the ability to construct the garage within the building envelope required by the RA-20 district. If the zoning of the property was a zoning district suitable for its size (i.e., RVS, R-1-8, MHS-10), the proposed detached garage could be constructed with a setback of 3 feet from the side property line.

SHADE STRUCTURE: Staff finds there are no specific peculiar conditions applicable to this property to warrant granting of a variance for the shade structure in the front yard. Even if the property was zoned RVS, R-1-8, or MHS-10, the required setback would be either 10 feet in the case of RVS and MHS or 20 feet in the case of R-1-8.

D. A variance shall not be granted which will have an adverse effect on public health, safety and welfare.

GARAGE: Staff finds approval of this variance for the reduction of the east side yard setback for the garage will not have an adverse effect on public health, safety, and welfare. Section 1011.00(1) of the Yuma County Zoning Ordinance can allow a nonconforming parcel to reduce a side yard down to as little as five (5) feet for a setback.

SHADE STRUCTURE: Staff finds approval of this variance for the reduction of the front yard setback for the shade structure may have an adverse effect of public health, safety, and welfare. A setback of 4 feet in the front yard may pose a safety hazard by causing cars to back up onto Lakeview Place in order to exit the subject property.

E. A variance shall not be granted if, in granting the variances a special privilege not commonly enjoyed by others in the zoning district will be conferred, or have a negative impact on the neighborhood.

Granting this variance to allow the construction of a garage with a setback of five (5) feet in the east side yard and a shade structure with a front yard setback of 4 feet will confer a special privilege not enjoyed by others in the RA-20 zoning district. Three (3) other variances have been granted within the 300 feet notification area for this case within the last 10 years and they were each about setback reduction. The extent of reduction, particularly in the front yard of this case, would be greater than any of those previously approved variances from both a raw number of feet and also by degree (percentage). (Please see below under letter "H" for more details regarding this issue.)

F. The Board of Adjustment may require appropriate conditions or safeguards on any granted variances so that public health, safety and welfare are not compromised.

Staff is recommending that if approved, this variance include attached conditions as a means of addressing the concerns of public health, safety, and welfare.

G. Variances shall not be granted if the condition is self-imposed or if a reasonable use of the land can be made in an alternative development scheme without the variance.

Staff finds that both requested conditions are self-imposed. The shade structure must meet the front yard setback of 30 feet. A permit was not acquired for the construction of the shade structure, thus, this prevented staff from notifying the owner of the development standards of the RA-20 zoning district that would not be met. The size of the proposed garage could be reduced to meet the minimum east side yard

setback of 10.125 feet.

H. The fact that there are non-conforming uses of neighborhood lands, structures or buildings, in the same zoning district shall not be considered grounds for issuance of a variance.

Staff's recommendation is not based on non-conforming uses of neighborhood lands, structures or buildings in the same zoning district. However, of the parcels that are located within 300 feet of the subject property, five (5) other setback variance cases were applied for since 2004. Of these five (5), three (3) were approved, one (1) was denied, and one (1) was withdrawn before a final determination was made by the Board of Adjustment (BOA).

Variance Case No. 08-12 (APN 459-51-017) approved in 2008 allowed a front yard setback of 18 feet and side yard setback of 10 feet (32 feet of front yard and six (6) feet of side yard relief was given). Variance Case No. 06-04 (APN 459-59-006) approved in 2006 allowed a front yard setback of 20 feet and rear yard setback of 29 feet six inches (30 feet of front yard and 4.5 feet of rear yard relief was given). Variance Case No. 04-01 (APN 459-51-026) approved in 2004 allowed a rear yard setback of 27 feet three inches and side yard setback of 10 feet for the dwelling unit, and side yard setback of three feet for the garage (7 feet of side yards and 6.7 feet of rear yard relief was given). The applicant for this case is requesting 46 feet of front yard relief for the shade structure and 5.125 feet of side yard relief on the east side for the garage.

ADDITIONAL COMMENTS:

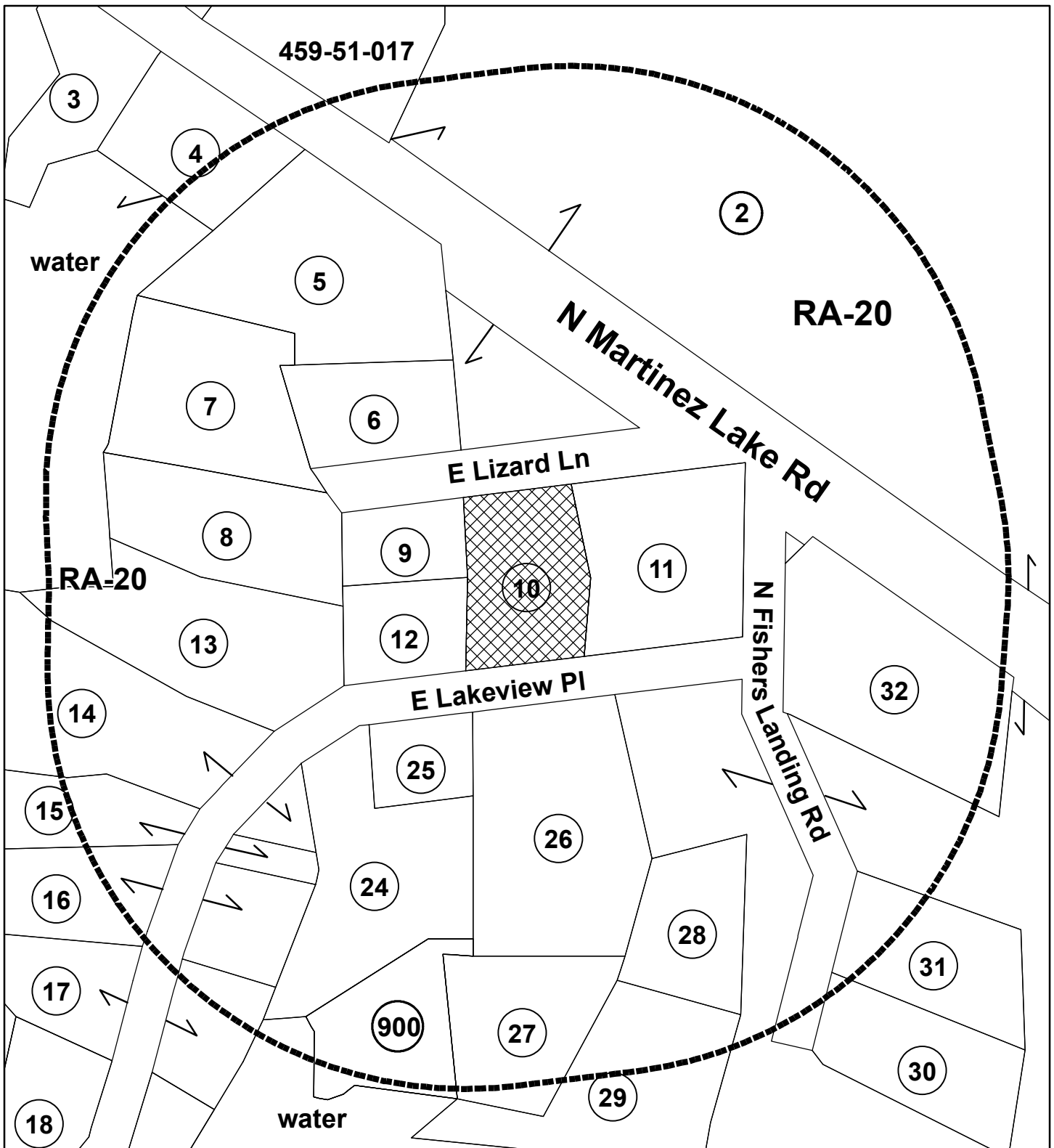
STAFF RECOMMENDATION

Staff recommends denial of Variance Case No. 14-11 based on:

1. Granting either variance appears to confer a special privilege not enjoyed by others in the zoning district, particularly the reduction of the front yard setback request for the shade structure.
2. Staff finds approval of this variance may have an adverse effect on public health, safety and welfare, particularly regarding the reduction of the front yard setback for the shade structure.
3. The conditions are self-imposed.

If the Board of Adjustment approves this variance, staff suggests attaching the following conditions:

1. This variance is valid for the time limits outlined in Section 403.07 of the Zoning Ordinance.
2. The owner/applicant shall acquire and have finalized all required permits as per appropriate code requirements within one year of approval by the Board of Adjustment o



**DEPARTMENT OF
DEVELOPMENT
SERVICES**

PLANNING & ZONING DIVISION
2351 W. 26TH STREET
YUMA, AZ 85364

FOR INFORMATION ONLY - NO LIABILITY ASSUMED

CASE NO:
LOCATION:
APN:

V 14-11
10159 Los Ranchitos Road
459-59-010

CASE PLANNER : C. Bahr
DATE DRAWN: 8-22-2014
REVIEWD BY: J. Barraza

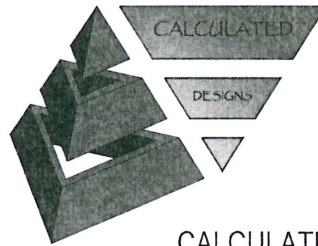


SCALE: 1" = 100'

Key:
 300' BUFFER
 SUBJECT PROPERTY
 ZONING
 MUNICIPALITY

Revised (#2) → Received 9-18-14.

PROJECT FOR:
MR. MCDOWELL
NEW GARAGE
APN # 14-459-59-010
SITE PLAN

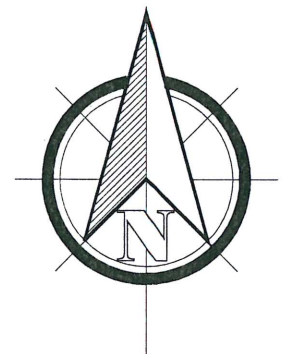
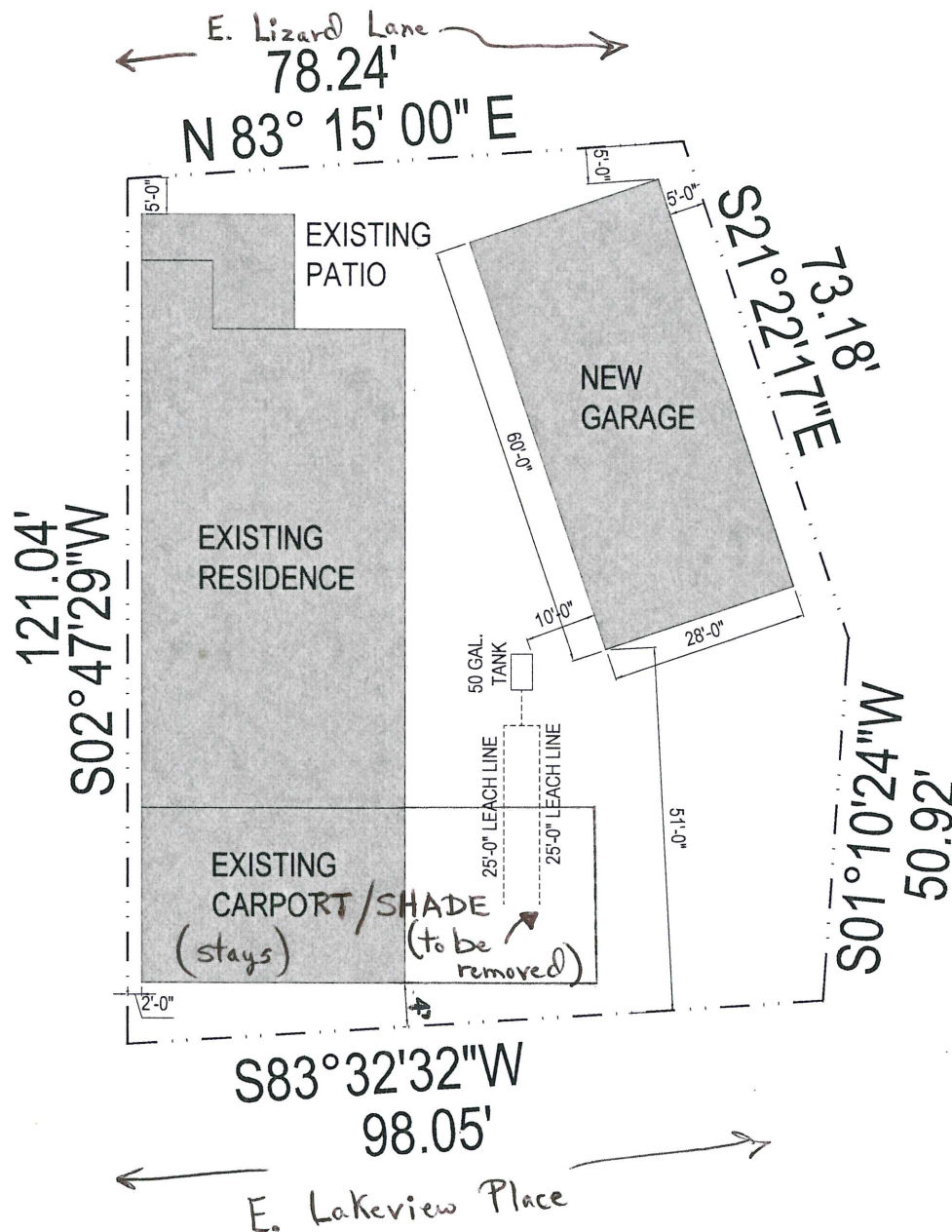


1275 S. PACIFIC AVENUE
BUILDING 'A'
TUMA, AZ 85365

OFFICE: 928-126-4600
CELL: 928-199-1133
EMAIL: CHRIS@CALCULATEDDESIGNS.COM

SERVICES:
RESIDENTIAL DRAFTING
COMMERCIAL DRAFTING
CONSTRUCTION CONSULTING

CALCULATEDDESIGNS.COM



SITE PLAN

SCALE: 1"=25'

SQUARE FOOTAGE CALCULATIONS

AREA NAME:	SQUARE FOOTAGE
EXISTING RESIDENCE	2574.00 SQ. FT.
EXISTING PATIO	249.00 SQ. FT.
EXISTING CARPORT	906.50 SQ. FT.
NEW GARAGE	1680.00 SQ. FT.
TOTAL COVERED AREA	5409.50 SQ. FT.



YUMA COUNTY

OFFICE USE ONLY

PLANNING AND ZONING APPLICATION FORM

FOR THE UNINCORPORATED AREA OF YUMA COUNTY, ARIZONA

CASE NO.

V14-0011

PROPERTY
OWNER(S):

NAME: Dave McDowell PHONE # 619-449-0996
MAILING ADDRESS: 10159 Los Ranchitos Rd.
Lake Side Ca 92040
FAX# _____ E-MAIL: _____

AGENT
(IF ANY):

NAME: Charles Bush PHONE # 928-304-0522
MAILING ADDRESS: P.O. Box 72158 Yuma Az 85365
FAX# 928-304-0522 E-MAIL: _____

ASSESSOR'S PARCEL NUMBER(S): 14-459-59-010

TYPE OF APPLICATION:

ACREAGE: 0.26 (GROSS NET)
CURRENT ZONING: RA-20 PROPOSED ZONING: NONE.
PLANNING AREA: MARTINEZ LAKE
CURRENT LAND USE: R-UD PROPOSED LAND USE: NONE
LEGAL DESCRIPTION: SEC 19 TWP 5S RNG 21W.
CASTLE DOME CASIN SITE #49.

- ☐ Rezoning
- ☐ Special Use Permit
- ☐ Minor Amendment
- ☐ Major Amendment
- ☒ Variance
- ☐ Interpretation
- ☐ Land Division Permit
- ☐ Temporary Use Permit
- ☐ Temporary Special Use Permit
- ☐ Commission Initiative

ZONING ORDINANCE SECTION #: 601.05

INTENDED USE: Reduce rear setback from 34'-0"

to 5'-0" & side setback from 50'-0" to 5'-0" -> for garage.
② And for an existing shade structure to reduce the
side yard setback from 50' to 2' and the front yard setback
And a front yard setback from 50' to 30' for garage.

The applicant hereby consents to site visits in order for planning staff to prepare the case report to the Planning Commission and Board of Supervisors and to post the property pursuant to A.R.S. §11-805, 11-813, 11-816, 11-829, or 11-831.

Date Received: 08-21-14 Accepted by: JAVIER

Copy sent to GIS on: NO

Faxed to MCAS on: NO

Fee Paid: \$ 390.00

Signed this 20TH day of AUGUST 2014

Dave McDowell
DAVE MCDOWELL

Signature(s) of ☒ Property Owner(s) or ☐ Legal Agent
(If legal agent, power of attorney form must be attached)

still PENDING and 9-24-16.
SIGNED WAIVER. Per Ch. Bush 9-11-16
AUTHORIZATION LETTER. (See e-m from Mrs. Bush)

NEED

- CHAD BAHIZ
CONTACTED ON THIS VAR.

~~September~~

November 10, 2014

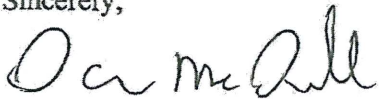
Chad Bahr, AICP, Snr Planner
Yuma County DDS
Chad.Bahr@yumacountyaz.gov

Re: David McDowell – Martinez Lake, AZ
APN # 14-459-59-010

To Whom it May Concern:

Please accept this Letter Of Authorization, signed by me, authorizing Charles Bush to act as my agent in all matters, including variances and other property-related issues that may arise concerning my property defined by APN # noted above.

Sincerely,



David McDowell
10159 Los Ranchitos Rd.
Lakeside, CA 92040

Received 9-11-14. (C.Ba.)



YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

August 28, 2014

CASE NUMBER: VARIANCE CASE NO. 14-11

Attached for your consideration is a **Variance**. The Planning & Zoning staff would appreciate your review of this proposal and any comments you may have. Please check the applicable response below and return this form to me along with your comments (if applicable) by the deadline below. You may also provide your response and comments (if any) by e-mail. If you have no comment, please provide a “no comment” response. If you cannot respond by the deadline, please contact me.

CASE SUMMARY: Variance Case No. 14-11: Charles Bush, agent, requests a variance for Dave McDowell, parcel owner, from the Yuma County Zoning Ordinance, Section 601.05, Plate VI-2, regarding setbacks, to allow a rear yard setback of 5 feet and a side yard setback of 5 feet, for the construction of a garage on a parcel of 11,326 square feet in size zoned Rural Area-20 acre minimum (RA-20), Assessor's Parcel Number 459-59-010, located at 10580 East Lakeview Road, Martinez Lake, Arizona.

The applicant submitted the following intended use in the application: Approval of this request would allow a proposed accessory structure in the form of a garage to be established at 5 feet for the rear yard setback and 5 feet for the side yard setback.

PUBLIC HEARING: October 21, 2014

COMMENTS DUE: September 5, 2014

☒ X COMMENT

☐ NO COMMENT

Site plan is incorrect, must include all structures.

Structures on site without permits (fabric shade)

DATE: 9/8/14

NAME: Pat Headington

Please return your response by 9-5-2104 to: C. Bahr, Snr. Planner, Department of Development Services, 2351 W. 26th Street, Yuma, AZ 85364 or by E-mail: Chad.Bahr@yumacountyaz.gov.

AIR-5951

BOA Agenda

Meeting Date: 10/21/2014

Submitted For: Monty Stansbury

Submitted By: Javier
Barraza

Department: Planning & Zoning Division - DDS

Information

1. REQUESTED ACTION:

Variance Case No. 14-12: Mike Gallagher of Wavelength Management, agent for Robert & Deborah Nickerson Trust 4-05-00, requests a variance from the Yuma County Zoning Ordinance, Section 1115.05(B) - Wireless Communication Facilities Height and Setback Requirements. Approval of the variance will allow a communication facility tower of 150 feet in height a setback of 120 feet from the north lot line and a setback of 90 feet from the west lot line on a parcel 21.27 gross acres in size zoned Rural Area-20 acre minimum (RA-20). Property is Assessor's Parcel Number 182-01-004, located on the south side of County 3rd Street approximately 0.5 miles west of Avenue 16E, Yuma, Arizona.

2. INTENT:

The proposed monopole with a height of 150 feet is being requested with the following deviations from the Zoning Ordinance:

- 1) Setback of 120 feet from the north lot line where 190 feet is required; and,
- 2) Setback of 90 feet from the side (west) lot line where 140 feet is required.

3. For detailed analysis see attached staff report

4. STAFF'S RECOMMENDATION:

Staff recommends denial of Variance Case No. 14-12

Attachments

Staff Report

Att: Site Plan

Att: Site Plan Detail

Att: Site Narrative from applicant

Att: Wireless Tower Plans

Att: Comments

STAFF REPORT
Yuma County Planning and Zoning Division

Prepared for the Hearing of
October 21, 2014
Yuma County Board of Adjustment

CASE NUMBER: Variance Case No. 14-12

OWNER: Robert & Deborah Nickerson Trust 4-5-00

CASE PLANNER: Javier Barraza, Senior Planner

DATE PREPARED: September 12, 2014

DESCRIPTION OF REQUEST: Mike Gallagher of Wavelength Management, agent for Robert & Deborah Nickerson Trust 4-05-00, requests a variance from the Yuma County Zoning Ordinance, Section 1115.05(B) —Wireless Communication Facilities Height and Setback Requirements. Approval of the variance will allow a communication facility tower of 150 feet in height a setback of 120 feet from the north lot line and a setback of 90 feet from the west lot line on a parcel 21.27 gross acres in size zoned Rural Area-20 acre minimum (RA-20). Property is Assessor's Parcel Number 182-01-004, located on the south side of County 3rd Street approximately 0.5 miles west of Avenue 16E , Yuma, Arizona.

THE APPLICANT'S REASON FOR REQUESTING THIS VARIANCE: Verizon Wireless is proposing to construct a new Wireless Communication Facility (WCF). This facility will contain a monopole (150 feet in height), a new 12 feet by 26 feet prefabricated equipment shelter with a new diesel generator inside the shelter which will provide wireless services as required by Verizon Wireless through approval of the Federal Communications Commission (FCC) license to fill a coverage and capacity gap. Verizon Wireless is seeking approval for a front and side setback variance for the monopole.

VARIANCE ALLOWANCES:

The proposed monopole with a height of 150 feet is being requested with the following deviations from the zoning ordinance:

- 1) Setback of 120 feet from the north lot line where 190 feet is required, a 70 foot deviation; and,
- 2) Setback of 90 feet from the side lot line where 140 feet is required, a 50 foot deviation.

BACKGROUND

The subject property is located approximately 0.5 miles west of Avenue 16E on the south side of County 3rd Street and is zoned Rural Area-20 acre minimum (RA-20). The subject parcel is 21.27 gross acres in size. The property is bounded on the north by County 3rd Street and the Dome Canal, therefore the subject property cannot be accessed directly from County 3rd Street. The subject parcel is in agriculture.

The Yuma County Zoning Ordinance (YCZO), Section 601.03(Y), requires the approval of a Special Use Permit for the establishment of WCF's. The applicant applied for a Special Use Permit on August 29, 2014. The case number is Special Use Permit Case No. 14-06 (SUP14-06) and will be heard by the Planning Commission on October 27, 2014.

The RA-20 district requires a maximum height of 60 feet. The proposed tower is 150 feet in height which increased the setback requirements to 190 feet from the north lot line and 140 feet from the side lot line.

The YCZO, Section 1115.05(B)--Performance and Usage Standards, states the following: No tower shall exceed a height of one hundred fifty (150) feet from grade and wireless communication facilities shall be setback from each lot line at least one (1) foot for each foot of additional height above the height limit otherwise permitted in the zoning district in which the structure is located. The additional one foot above the zoning district height maximum is in addition to the normal building setback of the zoning district in which the proposed WCF is to be located in. Additionally, the proposed tower has to meet additional setback requirements of Section 1104.01(A)(2) since County 3rd Street is a section line road.

The required setbacks breakdown is shown in the table below:

WCF	TOWER HEIGHT	RA-20 HEIGHT RESTRICTION	EXCEEDING HEIGHT	RA-20 SETBACK	ADDITIONAL SETBACK FOR SECTION LINE ROADS	REQUIRED SETBACK
<i>FRONT SETBACK</i>	150'	- 60' =	90'	+ 50'	+ 50'	= 190' *
<i>SIDE SETBACK</i>	150'	- 60' =	90'	+ 50'	+ 0'	= 140'

*From the centerline of all existing or proposed section line roads.

In the letter of intent, the applicant acknowledge that the proposed 150 feet tower exceeds the 60 feet height restriction in the RA-20 zoning district thereby increasing the front and side setbacks requirements. The applicant explains that during the sitting process, extensive computer and field tests were conducted to include an on-site boom lift truck with test antennas. The goal of the tests were to design a site that meets the required setbacks and supports the network. The result of the analysis determined that in order for the site to perform, it needed to shift (slightly) west and north resulting in the need for a front and side setback variance. The site location was shifted for operational performance. The location of existing surrounding Verizon Wireless sites and the terrain poses a unique challenge to tower sitting at this location. The parcel is large and in most normal circumstances, a 20 acre parcel will require no setback variance.

STAFF ANALYSIS

Section 403.03 of the Zoning Ordinance:

- A. *Variances under section 403.02 shall be granted only when, because of peculiar conditions applicable to the property, the strict application of the Zoning Ordinance deprives such property of privilege enjoyed by other property owners in the zoning district.*

Staff finds there are no peculiar conditions applicable to the property. The lot is flat terrain and the topography is not unusual. The condition that requires this variance appears to be imposed by the limitations of technology and the needs of the wireless network.

- B. *Variances are available only in cases where there is a hardship arising from conditions or circumstances unique to the development of a particular piece of land, not from personal considerations, personal convenience or financial hardships.*

Staff finds there is no hardship arising from conditions or circumstances unique to the development of this property. The subject property has ample space to allow for the tower to adhere to the required setbacks. Staff also believes that, there are other locations in the immediate vicinity with potential to meet standards and reduce impacts due to flooding and/or traffic movements along county roadways.

- C. *Any motion to grant a variance by the Board of Adjustment shall include specific peculiar conditions applicable to the property, which exist to cause granting of a variance.*

Staff finds there are no specific peculiar conditions applicable to this property to warrant granting of a variance. The property is not of unusual shape or topography.

- D. *A variance shall not be granted which will have an adverse effect on public health, safety and welfare.*

Staff finds approval of this variance may have an adverse effect on public health, safety, and welfare. The site location can only be accessed only from Parcel 182-01-005 located to the west and/or parcel 182-01-003 on the east. The fall zone of the proposed tower does not compromise safety on Parcel 182-01-005 to the west, however, on the north the tower's fall zone encroaches in to County 3rd Street. Online research performed by staff indicates, that cell towers do fall more than one person would expect; due to wind, combination of snow and wind, base plate failure, and fire.

- E. *A variance shall not be granted if, in granting the variances a special privilege not commonly enjoyed by others in the zoning district will be conferred, or have a negative impact on the*

neighborhood.

Granting this variance to allow a setback of 120 feet from the north lot line and 90 feet from the west lot line will confer a special privilege not enjoyed by in the RA-20 zoning district. Approval of this request may have a negative impact on the neighborhood in the event of the tower falling or collapsing onto County 3rd Street.

F. The Board of Adjustment may require appropriate conditions or safeguards on any granted variances so that public health, safety and welfare are not compromised.

Staff is recommending that if approved, this variance include the attached conditions as a means of addressing concerns of public health, safety, and welfare.

G. Variances shall not be granted if the condition is self-imposed or if a reasonable use of the land can be made in an alternative development scheme without the variance.

Staff finds the condition is self-imposed. The proposed tower must meet the minimum setback of 190 feet from the north lot line (section line) and minimum setback of 140 from the west lot line. The subject property has sufficient space to adhere to the setback requirements.

H. The fact that there are non-conforming uses of neighborhood lands, structures or buildings, in the same zoning district shall not be considered grounds for issuance of a variance.

Staff's recommendation is not based on non-conforming uses of neighborhood lands, structures or buildings in the same zoning district.

ADDITIONAL COMMENTS:

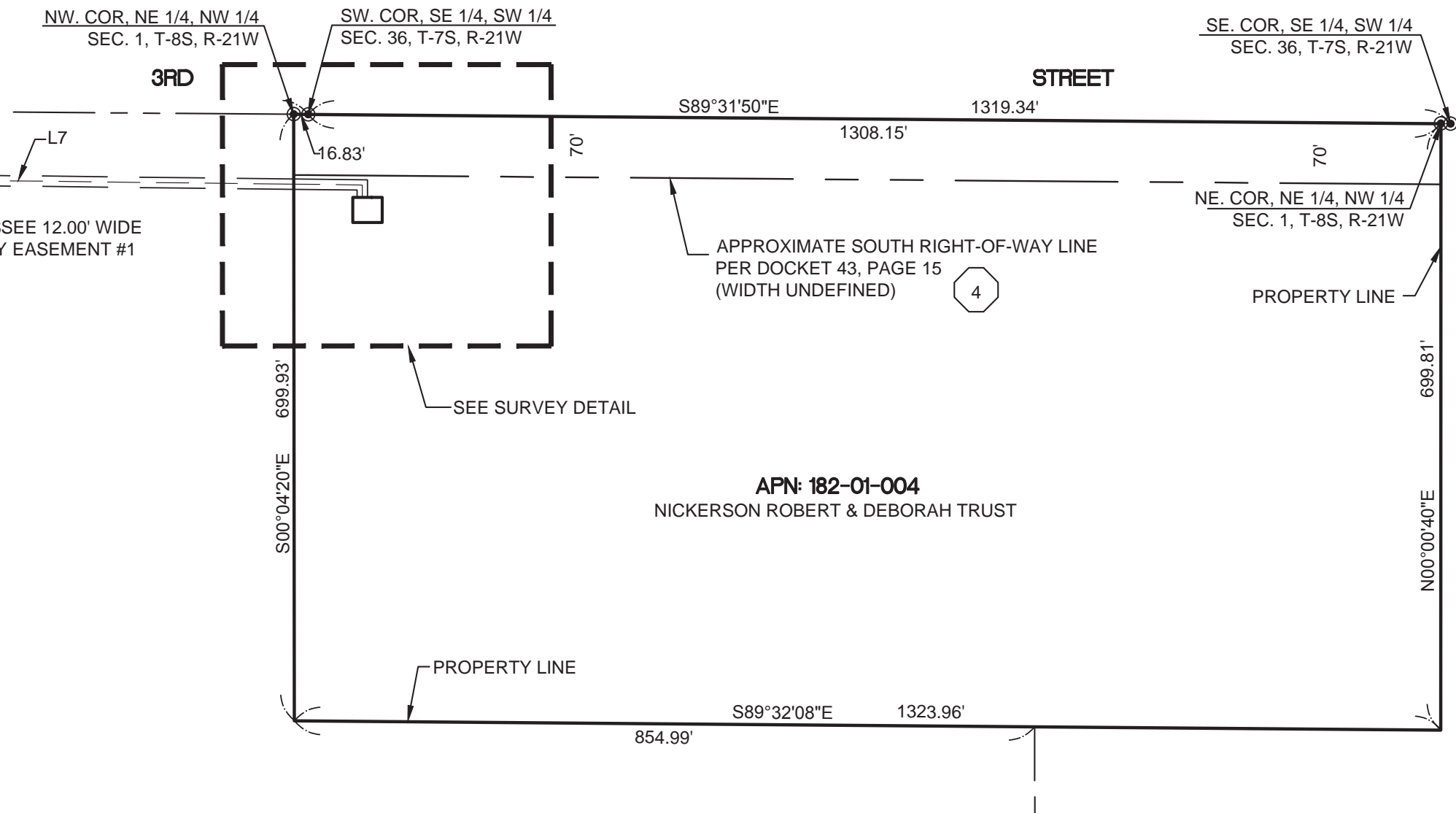
STAFF RECOMMENDATION

Staff recommends denial of Variance Case No. 14-12 based on:

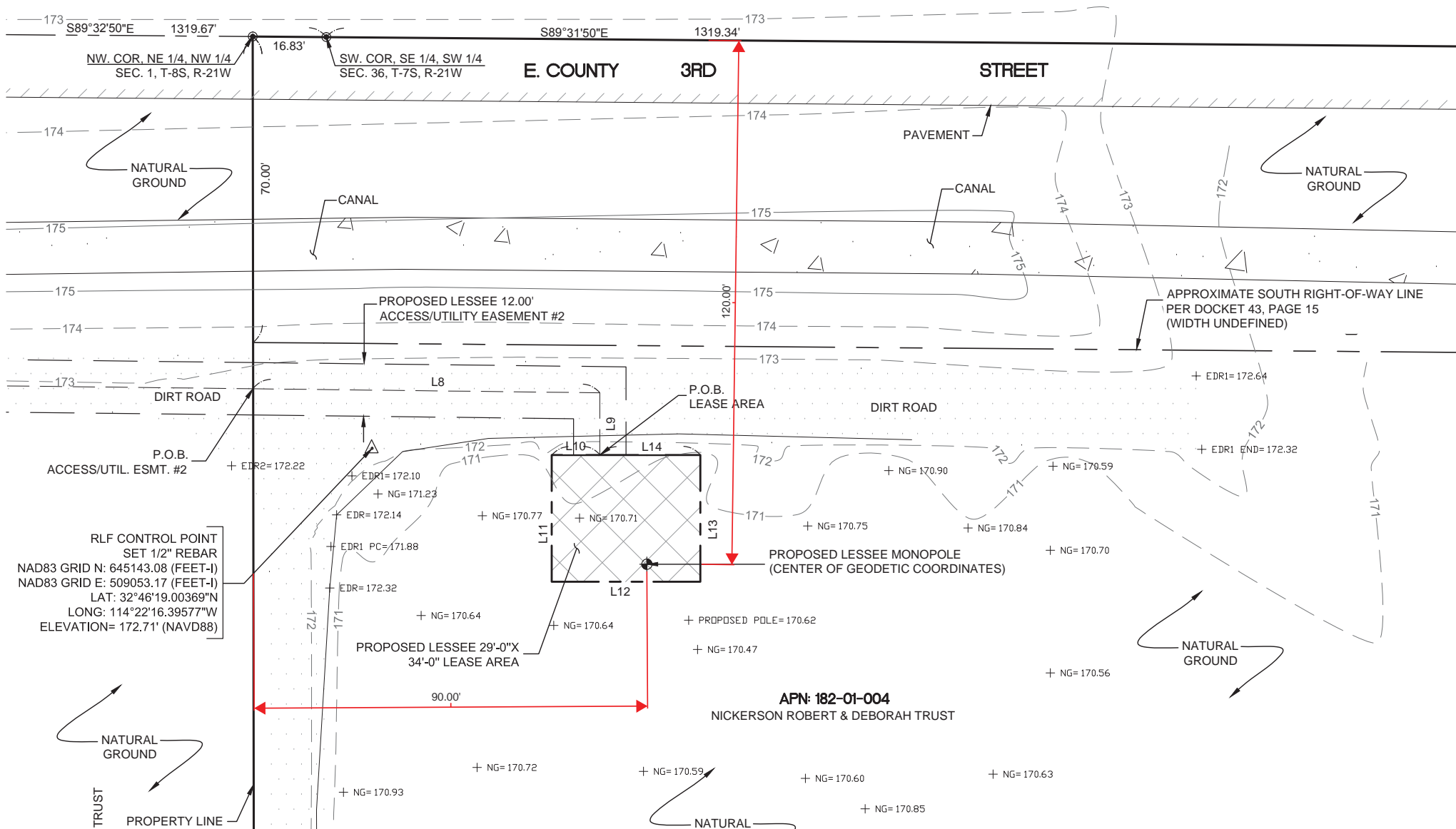
1. Staff finds there are no peculiar conditions applicable to the property.
2. Staff finds there is no hardship arising from conditions or circumstances unique to the development of this property.
3. Staff finds there are no specific peculiar conditions applicable to this property to warrant granting of a variance.
4. Staff finds the condition is self-imposed.

If the Board of Adjustment approves this variance, staff suggests attaching the following conditions:

1. This variance is valid for the time limits outlined in Section 403.07 of the Zoning Ordinance.



TION





Site Narrative

Site Name: AZ4 Butterfield

Site Location: Section 1 Township 8 Range 21 lot 3

APN: 182-01-004



**Wavelength Management
2200 E. Williams Field Rd.
Suite 200
Gilbert, AZ 85295**

Purpose of Request

The proposed facility shall provide wireless services, as required by Verizon Wireless' FCC license, to fill a significant gap in coverage and capacity. This site is necessary due to:

- technological advancements
- growing number of customers
- increased usage of data
- increased voice calls

Description of Proposal

Verizon Wireless is proposing to develop a new wireless communications facility on parcel 182-01-004. The proposed location is on a 20.58 acre parcel that is zoned RA-20. This location has been carefully sited to limit the visual impact in this area while accomplishing Verizon's need to provide an unsurpassed service to their customers including: commuters, residents, businesses and *first responders*.

The proposed facility is comprised of a new 150' monopole, a new 12'x 26' prefabricated shelter, and a new diesel generator within the shelter. The facility shall be installed within a 50' x 50' lease area that is fully enclosed by a security fence. The current primary use of the property is agricultural.

This shall be an unmanned facility that will be visited infrequently for maintenance. Verizon shall require electric and telephone utilities. These utilities will be accessible via the Public Right of Way and will be underground to the site. This development does not emit any odor, dust, gas, noise, vibration, smoke, heat of glare. The RF emissions from this site are well within the FCC guidelines for a wireless communications facility.

This is the least intrusive means to fix the significant gap in coverage and capacity.

Setback Variance Requirement

The proposed 150' tower exceeds the 60' height restriction in the RA-20 zone which increased the side and front setbacks from 50' to 140'. During the siting process extensive computer and field tests were conducted to include an on-site boom lift truck with test antennas. The goal of the tests were to design a site that meets the required setbacks and supports the network. The results of the analysis determined that in order for the site to perform it needed to shift slightly west and north resulting in the need for a side and front setback area variance. The site was shifted the minimum amount to be able to perform. The location of the existing surrounding Verizon Wireless sites and the terrain pose a unique challenge to tower siting at this location. The parcel is large and in most normal circumstances a 20 acre parcel would require no setback variance.

Relationship to Surrounding Properties and Neighborhood Impact

The proposed wireless communication facility is sited on a 20.58 acre parcel that is zoned RA-20. The current use of the property is a farming.

Adjoining properties:

North –RA-20	East – RA-20
South - RA-20	West - RA-20

Extensive measures were taken to ensure this location will minimize the visual impact on the surrounding area. The materials, colors, and textures are designed to blend with the surrounding setting. The closest existing monopole is 3.5 miles to the Southwest. The existing site does not provide the coverage and capacity offload objectives as the proposed site herein. This request is the least intrusive means to provide reliable service to Verizon Customers in this area. This facility is proposed to provide wireless service and capacity relief to surrounding wireless communication facilities.

Development Schedule (phasing)

The overall development of the site will take approximately 45 days with the bulk of the work being accomplished in the first 4 weeks. The work will be accomplished during regular business hours and will require the use of standard grading equipment. During this time there may be multiple vehicles and laborers performing the work.

After the completion of development the site will only require general maintenance. Verizon anticipates the site will be visited on average a few times a month. General maintenance usually requires one work vehicle and can be accomplished 24/7.

Community Facilities and Services

This area is comprised primarily residential and agricultural properties. This proposed Verizon Wireless facility will provide improved coverage, capacity and E911 capabilities to this area.

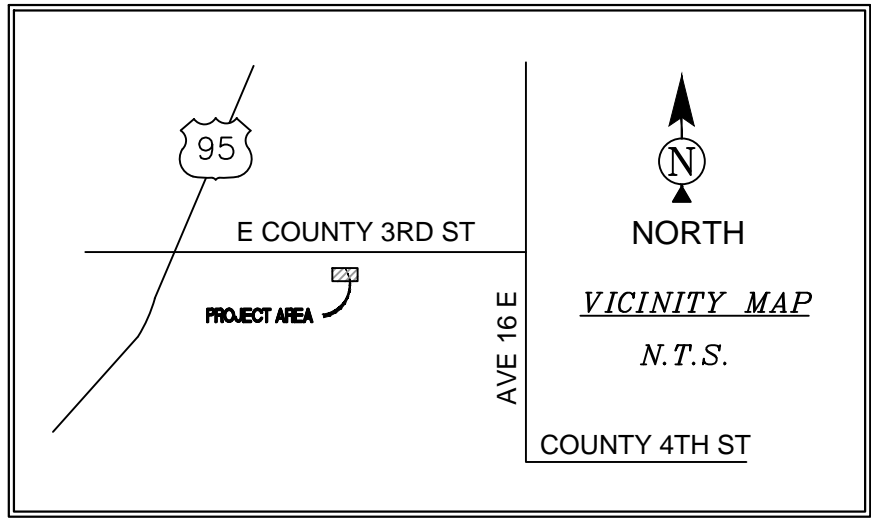
Public Utilities and Services

This shall be an unmanned facility and will require electric and telephone utilities. The development will not create any refuse, sewage or need any water. These utilities will be accessible via the Public Right of Way and will be underground to the site. This development does not emit any odor, dust, gas, noise, vibration, smoke, heat or glare. The RF emissions from this site are well within the FCC guidelines for a wireless communications facility.

Thank you for your consideration.

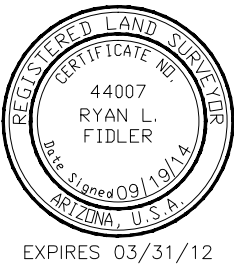


T-1



DRIVING DIRECTIONS

TAKE 1-10 EAST TOWARDS TUCSON. TAKE AZ-347 SOUTH TO AZ-238 SMITH ENKE RD. TURN RIGHT ONTO AZ-238 TO AZ-85 S. TURN LEFT ONTO AZ-85 S. CONTINUE ONTO W PIMA ST. MERGE ONTO I-8 W TOWARDS SAN DIEGO. EXIT FORTUNA RD AND TURN RIGHT. TURN RIGHT ONTO US-95. TURN RIGHT ONTO E COUNTY 3RD ST TO SITE ON RIGHT.



verizon wireless
126 W. GEMINI DR.
TEMPE, AZ 85283



architecture / project management
10245 E. Via Linda, Scottsdale, AZ 85258
ph: 480 451 9609 fax: 480 451 9608
e mail: corp@ydcoffice.com

THE INFORMATION CONTAINED IN THIS SET OF DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO THE CLIENT IS STRICTLY PROHIBITED.

FIELD BY:	NGS
DRAWN BY:	MJG
CHECKED BY:	RLF

SUBMITTALS

NO.	DATE	DESCRIPTION
1	01/31/12	PRELIM SUBMITTAL
2	02/17/12	FINAL SUBMITTAL
3	06/09/12	ADD TOPO POINTS
4	09/19/14	REVISION



rlf
Consulting, llc

nd Survey & Mapping Solutions
6197 South Rural Road, Suite, 101
Tempe, AZ 85283
p. 480.510.3668 | f. 480.839.0200
www.rlfconsulting.com

PROJECT No.
09006310

SITE NAME:
AZ4 BUTTERFIELD

SITE NUMBER:

SITE ADDRESS:

E. COUNTY 3RD ST.
YUMA, AZ 85365

SHEET TITLE:

TOPOGRAPHIC SURVEY

SHEET NO

REVISION:

C-1

LESSOR'S LEGAL DESCRIPTION

THE NORTH 699.8 FEET OF LOT 3, SECTION 1, TOWNSHIP 8 SOUTH, RANGE 2 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA.

SCHEDULE B EXCEPTIONS

4. RIGHT OF WAY FOR ROADS ALONG NORTH AND EAST BOUNDARIES OF THE WITHIN DESCRIBED PROPERTY, AS SET FORTH IN INSTRUMENT RECORDED SEPTEMBER 18, 1951 IN DOCKET 43, PAGE 15 OF OFFICIAL RECORDS. (REFERENCED)

SURVEYOR'S NOTES

1. ALL TITLE INFORMATION IS BASED UPON A COMMITMENT FOR TITLE INSURANCE PREPARED BY GREAT AMERICAN TITLE AGENCY, ORDER NO.: 21114411 EFFECTIVE DATE: 08/26/2011.
2. SURVEYOR HAS NOT PERFORMED A SEARCH OF PUBLIC RECORDS TO DETERMINE ANY DEFECT IN TITLE.
3. THE BOUNDARY SHOWN HEREON IS PLOTTED FROM RECORD INFORMATION AND DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE PROPERTY.
4. SURVEYOR DOES NOT GUARANTEE THAT ALL UTILITIES ARE SHOWN OR THEIR LOCATIONS. IT IS THE RESPONSIBILITY OF THE CONTRACTOR AND DEVELOPER TO CONTACT BLUE STAKE AND ANY OTHER INVOLVED AGENCIES TO LOCATE ALL UTILITIES PRIOR TO CONSTRUCTION. REMOVAL, RELOCATION AND/OR REPLACEMENT IS THE RESPONSIBILITY OF THE CONTRACTOR.


















PROJECT META DATA

1. ELEVATIONS SHOWN HEREON ARE REPRESENTED IN NORTH AMERICAN VERTICAL DATUM OF 1988 (NAV88) ESTABLISHED FROM GPS DERIVED ELLIPSOID HEIGHTS, APPLYING GEOID 98 SEPARATIONS. CONSTRAINTS TO NGCS CORE STATIONS PROVIDED IN THE "ONLINE POSITIONING USER SERVICE" (OPUS) SOLUTION FOR THIS SPECIFIC SITE.
2. BEARINGS SHOWN HEREON ARE BASED UPON U.S. STATE PLANE NAD83 COORDINATE SYSTEM ARIZONA STATE PLANE COORDINATE ZONE WEST, DETERMINED BY GPS OBSERVATIONS.
3. FIELD WORK FOR THIS PROJECT WAS PERFORMED ON 01/27/12.

POSITION OF GEODETIC COORDINATES

LATITUDE 32° 46' 18.745" NORTH (NAD83)
LONGITUDE 114° 22' 15.658" WEST (NAD83)
ELEVATION @ GROUND= 172.0' (NAVD88)

LEGEND

NG	NATURAL GRADE	CLF	CHAIN LINK FENCE
SLDG	TOP OF BUILDING		WATER CONTROL VALVE
FC	FACE OF CURB		FIRE HYDRANT
R/W	RIGHT OF WAY		GUY WIRE
AP	ASPHALT		BREAKLINE
D/W	ACCESS DRIVEWAY		POWER POLE
TOP	TOP OF SLOPE		LIGHT
TOE	TOE OF SLOPE		ELECTRICAL TRANSFORMER
W/F	WROUGHT IRON FENCE		AIR CONDITIONING UNIT
SW	SIDEWALK		TELEPHONE PEDESTAL
TP	TOP OF PARAPET		TELEPHONE VAULT
TW	TOP OF WALL		TELEPHONE MANHOLE
	BENCHMARK		GAS VALVE
	OR POSITION OF		GAS METER
	GEODETIC COORDINATES		BRASS CAP IN HANDHOLE
			FOUND AS NOTED
	SPOT ELEVATION	_____	PROPERTY LINE
		_____	PROPERTY LINE (OTHER)
	DISH ANTENNA	_____	CENTERLINE
		_____	EASEMENT LINE
	MICROWAVE ANTENNA	_____	LEASE LINE

PROPOSED LESSEE ACCESS/UTILITY EASEMENT #1 LEGAL DESCRIPTION

A 12.00' WIDE STRIP OF LAND SITUATED WITHIN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 8 SOUTH, RANGE 21 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA, LYING 6.00 FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT A FOUND BRASS CAP IN HAND HOLE MARKING THE NORTHWEST CORNER OF SAID SECTION 1, FROM WHICH POINT A FOUND BRASS CAP IN HAND HOLE MARKING THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 7 SOUTH, RANGE 21 WEST OF THE GILA AND SALT RIVER BASIN AND MERIDIAN BEARS SOUTH 89°09'50" EAST A DISTANCE OF 22.77 FEET; THENCE SOUTH 89°09'50" EAST, 14.24 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 00°00'00" EAST, 75.44 FEET; THENCE SOUTH 89°10'42" EAST, 562.55 FEET; THENCE SOUTH 78°51'24" EAST, 64.85 FEET; THENCE NORTH 89°49'29" EAST, 13.28 FEET; THENCE NORTH 77°28'17" EAST, 55.93 FEET; THENCE SOUTH 89°20'50" EAST, 617.48 FEET TO THE POINT OF TERMINUS.

PROPOSED LESSEE ACCESS/UTILITY EASEMENT #2 LEGAL DESCRIPTION

A 12.00' WIDE STRIP OF LAND SITUATED WITHIN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 8 SOUTH, RANGE 21 WEST OF THE GLA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA, LYING 6.00 FEET ON EITHER SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT A FOUND BRASS CAP IN HAND HOLE MARKING THE NORTHWEST CORNER OF SAID SECTION 1, FROM WHICH POINT A FOUND BRASS CAP IN HAND HOLE MARKING THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 14 SOUTH, RANGE 21 WEST OF THE GILA AND SALT RIVER BASINS, BEING MORE THAN 100 FEET SOUTH OF THE POINT OF BEGINNING, THENCE SOUTH 89°09'50" EAST, 14.24 FEET; THENCE SOUTH 00°00'00" EAST, 75.44 FEET; THENCE SOUTH 89°14'24" EAST, 562.55 FEET; THENCE SOUTH 78°51'24" EAST, 64.85 FEET; THENCE NORTH 89°42'29" EAST, 13.28 FEET; THENCE NORTH 77°28'17" EAST, 55.93 FEET; THENCE SOUTH 89°14'24" EAST, 13.28 FEET; THENCE NORTH 89°09'50" EAST, 14.24 FEET; THENCE SOUTH 00°00'00" EAST, 14.23 FEET TO THE POINT OF TERMINUS.

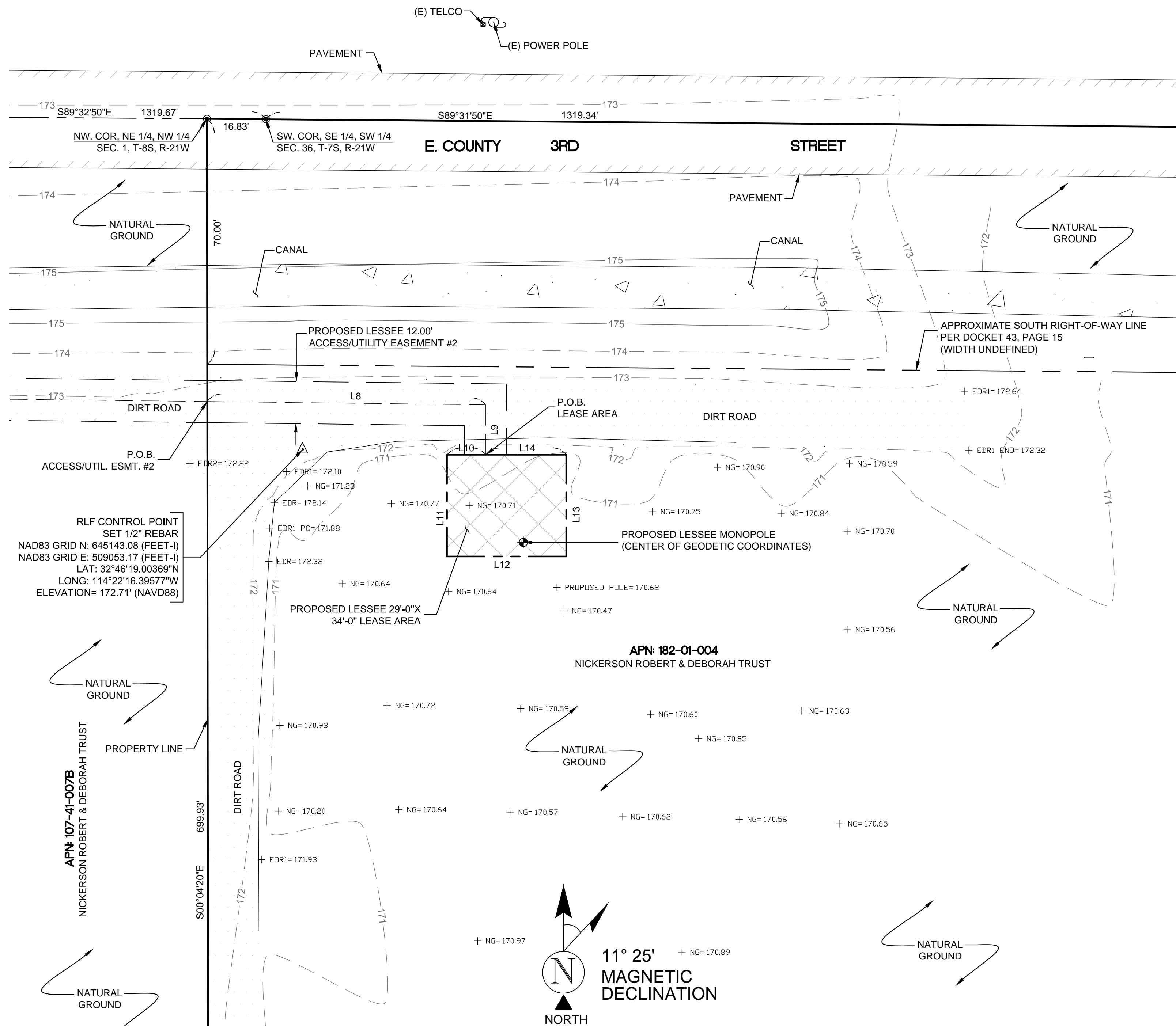
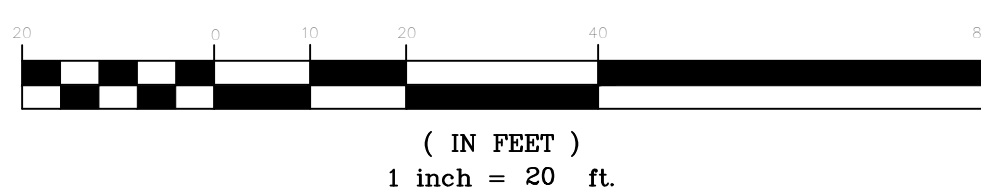
PROPOSED LESSEE LEASE AREA LEGAL DESCRIPTION

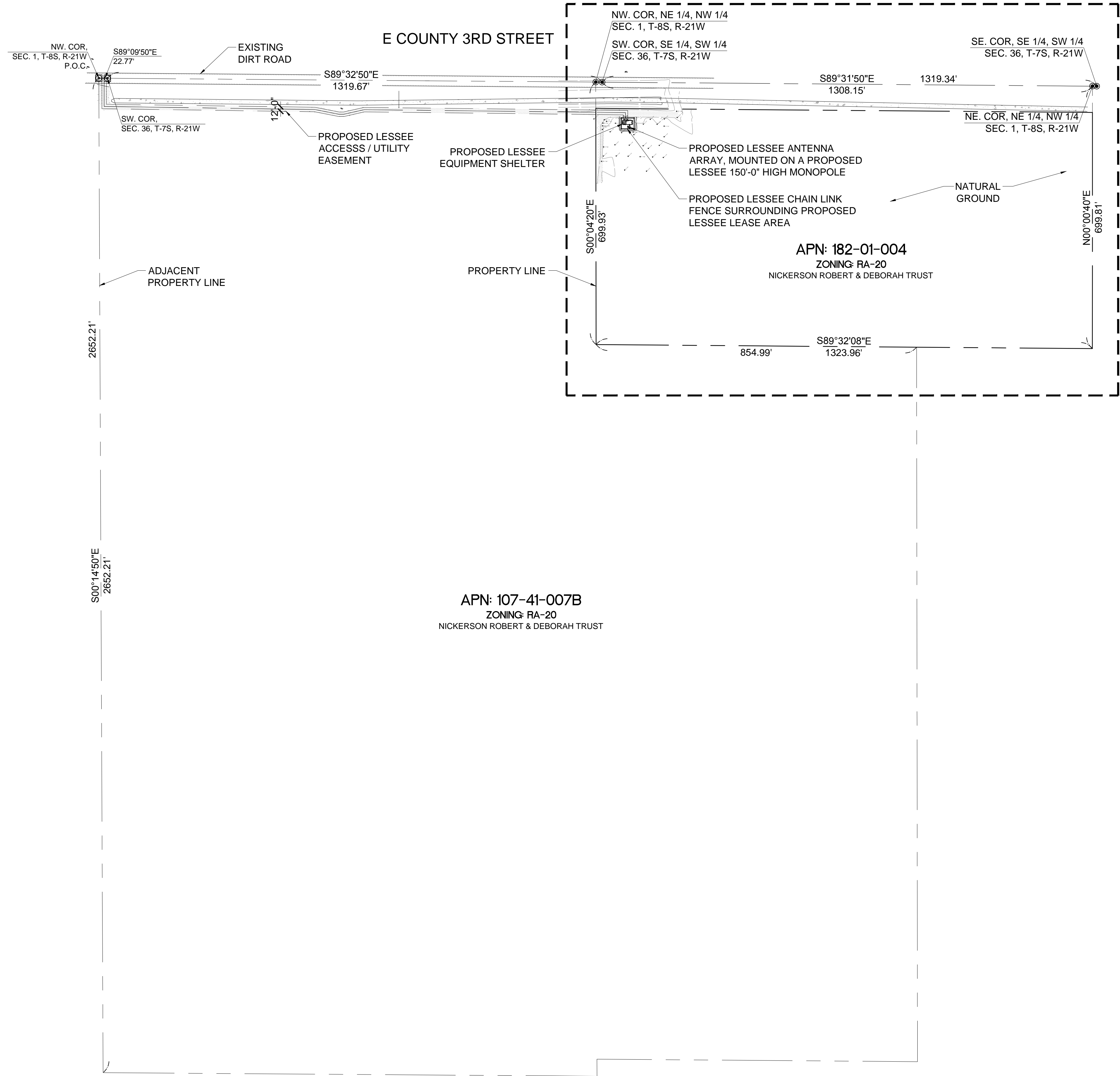
A PARCEL OF LAND SITUATED WITHIN THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 8 SOUTH, RANGE 21 WEST OF THE GILA AND SALT RIVER BASE AND MERIDIAN, YUMA COUNTY, ARIZONA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND BRASS CAP IN HAND HOLE MARKING THE NORTHWEST CORNER OF SAID SECTION 1, FROM WHICH POINT A FOUND BRASS CAP IN HAND HOLE MARKING THE SOUTHWEST CORNER OF SECTION 36, TOWNSHIP 7 SOUTH, RANGE 21 WEST OF THE GLA AND SALT RIVER BASE AND MERIDIAN BEARS SOUTH 89°05'00" EAST A DISTANCE OF 22.77 FEET; THENCE SOUTH 89°05'00" EAST, 14.29 FEET; THENCE SOUTH 00°00'00" EAST, 75.44 FEET; THENCE SOUTH 89°10'42" EAST, 562.55 FEET; THENCE SOUTH 78°51'24" EAST, 64.85 FEET; THENCE NORTH 89°42'29" EAST, 13.28 FEET; THENCE NORTH 77°28'17" EAST, 55.93 FEET; THENCE SOUTH 89°04'14" EAST, 61.48 FEET; THENCE SOUTHWEST QUASING SOUTH 89°20'14" EAST, 79.30 FEET; THENCE SOUTH 00°00'00" EAST, 14.28 FEET TO THE POINT OF BEGINNING; THENCE NORTH 00°00'00" WEST, 11.10 FEET; THENCE SOUTH 00°00'00" EAST, 29.00 FEET; THENCE NORTH 89°00'00" EAST, 34.00 FEET; THENCE NORTH 00°00'00" EAST, 29.00 FEET; THENCE NORTH 00°00'00" WEST, 23.00 FEET TO THE POINT OF BEGINNING.

LINE TABLE		
LINE	LENGTH	BEARING
L1	14.24'	S89°09'50"E
L2	75.44'	S00°00'00"E
L3	562.55'	S89°10'42"E
L4	64.85'	S78°51'24"E
L5	13.28'	N89°49'29"E
L6	55.93'	N77°28'17"E
L7	617.48'	S89°20'14"E
L8	79.30'	S89°20'14"E
L9	14.23'	S00°00'00"E
L10	11.00'	N90°00'00"W
L11	29.00'	S00°00'00"E
L12	34.00'	N90°00'00"E
L13	29.00'	N00°00'00"E
L14	23.00'	N90°00'00"W

GRAPHIC SCALE





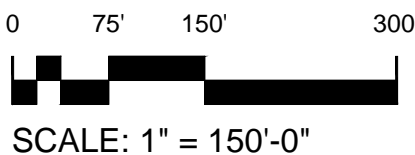
SEE SITE PLAN
ON SHEET Z-1



1
Z-0

OVERALL SITE PLAN

SCALE: 1" = 150'-0"



SCALE: 1" = 150'-0"

CLIENT

verizon wireless

126 W. GEMINI DR.
TEMPE, AZ 85283

INTERNAL REVIEW	DATE
CONSTRUCTION SIGNATURE	
RF SIGNATURE	
FACILITIES SIGNATURE	
REAL ESTATE SIGNATURE	

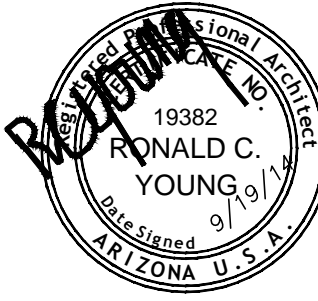
PLANS PREPARED BY

young design corp

architecture / project management
10245 E. Via Linda, Scottsdale, AZ 85258
ph: 480 451 9609 fax: 480 451 9608
e mail: corporate@ydcoffice.com

SEAL

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EXP. 12/31/14

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PRELIMINARY UNLESS SIGNED

NO.	DATE	DESCRIPTION
1	6/30/2014	PRELIMINARY REVIEW
2	7/1/2014	SUBMITTAL ZD'S

ARCHITECTS JOB NO.

YDC-5998

PROJECT INFORMATION

**AZ4_BUTTERFIELD
NICKERSONS**
E. COUNTY 3RD ST
YUMA, AZ 85365

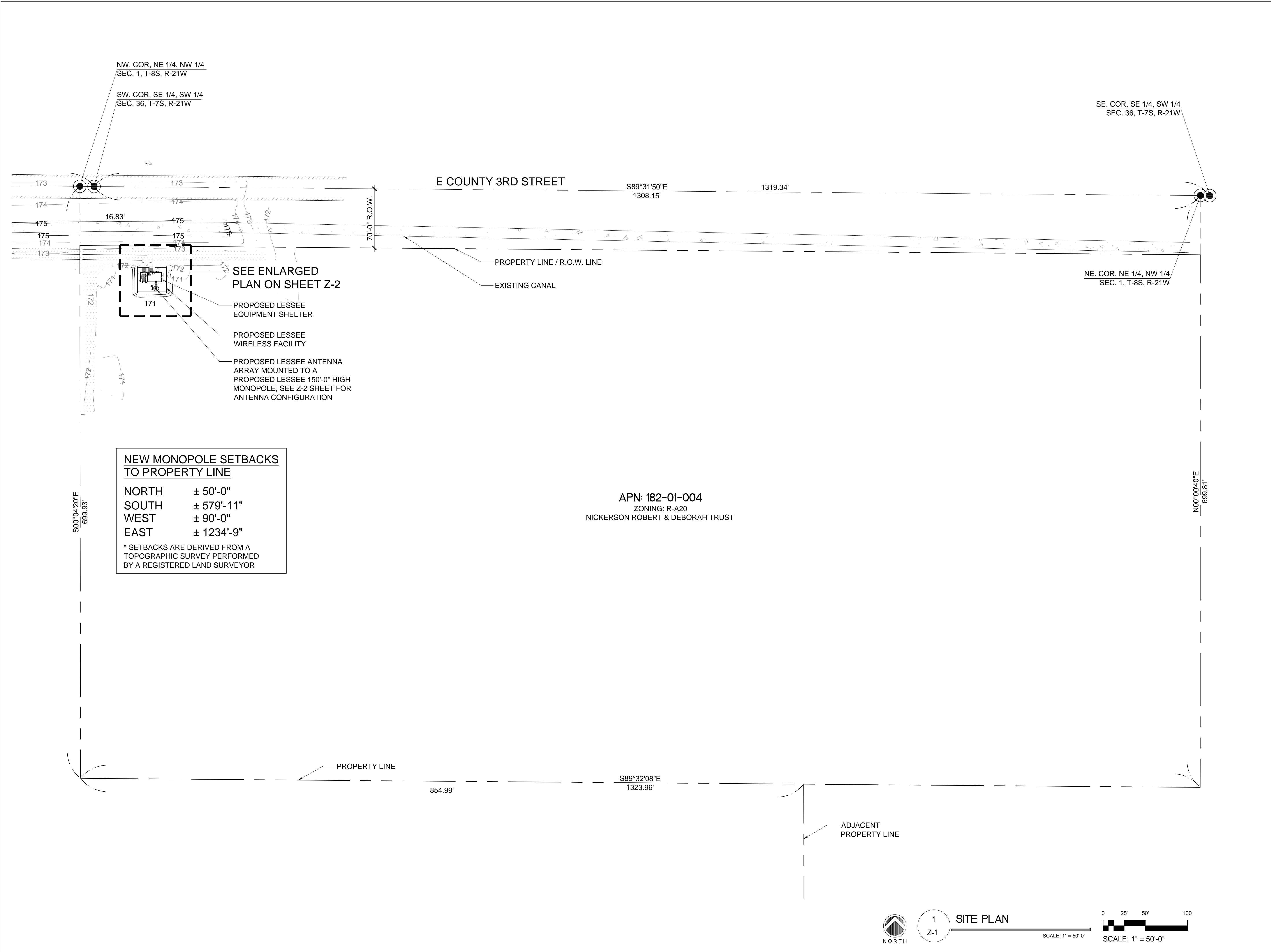
SHEET TITLE

OVERALL SITE PLAN


JURISDICTION APPROVAL

SHEET NUMBER

Z-0



CLIENT




verizon wireless

126 W. GEMINI DR.
TEMPE, AZ 85283

INTERNAL REVIEW	DATE
CONSTRUCTION SIGNATURE	
RF SIGNATURE	
FACILITIES SIGNATURE	
REAL ESTATE SIGNATURE	

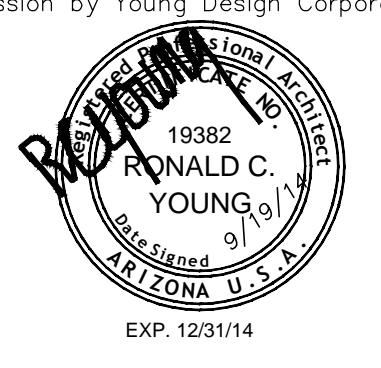
PLANS PREPARED BY



young
design corp

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10245 E. Via Linda, Scottsdale, AZ 85258
ph: 480 451 9609 fax: 480 451 9608
e mail: corporate@ydcoffice.com

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19382
RONALD C.
YOUNG
Engineered
9/1
STATE OF ARIZONA
U.S.A.
EXP. 12/31/14

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NO.	DATE	DESCRIPTION
1	6/30/2014	PRELIMINARY REVIEW
2	7/1/2014	SUBMITTAL ZD'S

ARCHITECTS JOB NO.

YDC-5998

PROJECT INFORMATION

AZ4_BUTTERFIELD
NICKERSONS
E. COUNTY 3RD ST
YUMA, AZ 85365

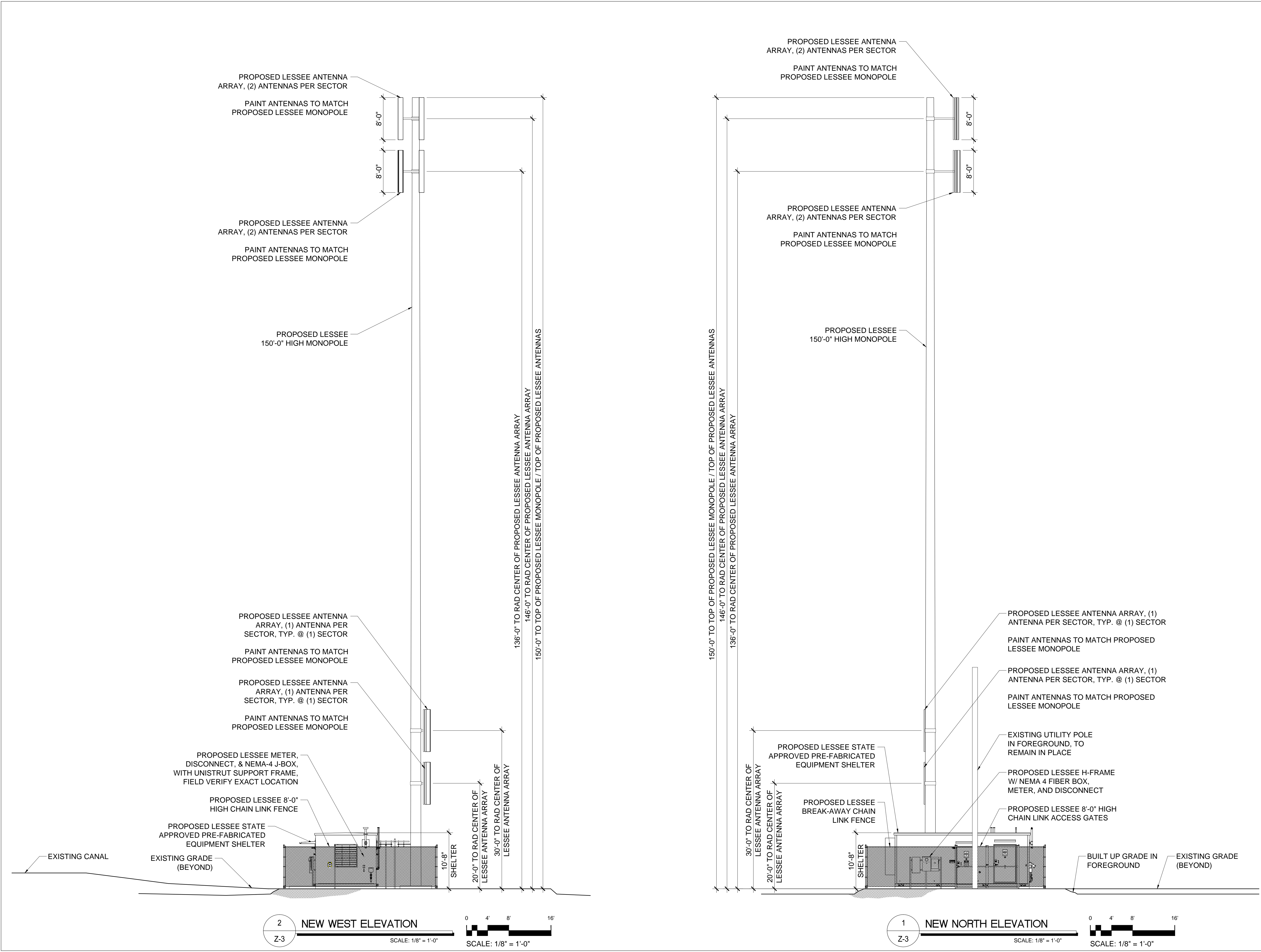
SHEET TITLE

SITE PLAN


JURISDICTION APPROVAL

SHEET NUMBER

Z-1



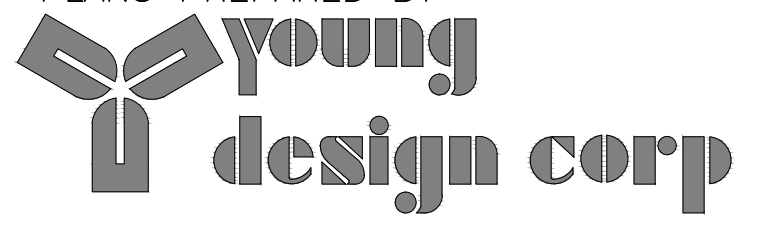
CLIENT



126 W. GEMINI DR.
TEMPE, AZ 85283

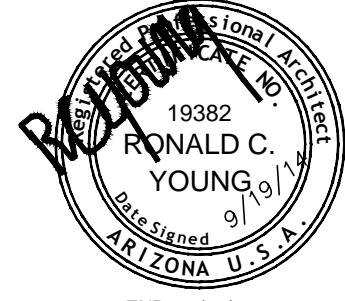
INTERNAL REVIEW	DATE
CONSTRUCTION SIGNATURE	
RF SIGNATURE	
FACILITIES SIGNATURE	
REAL ESTATE SIGNATURE	

PLANS PREPARED BY



architecture / project management
10245 E. Via Linda, Scottsdale, AZ 85258
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NO.	DATE	DESCRIPTION
1	6/30/2014	PRELIMINARY REVIEW
2	7/1/2014	SUBMITTAL ZD'S

ARCHITECTS JOB NO.

YDC-5998

PROJECT INFORMATION

AZ4_BUTTERFIELD
NICKERSONS
E. COUNTY 3RD ST
YUMA, AZ 85365

SHEET TITLE

ELEVATIONS

JURISDICTION APPROVAL

SHEET NUMBER

Z-3

Javier Barraza

From: Thor Toepfer
Sent: Wednesday, September 10, 2014 1:37 PM
To: Javier Barraza
Subject: RE: Request for comments for V14-12

No comments from Building Safety.

THOR TOEPFER / PLANS EXAMINER II
YUMA COUNTY DEPT. OF DEVELOPMENT SERVICES
2351 W. 26TH ST. YUMA, AZ. 85365
928-817-5086

From: Javier Barraza
Sent: Wednesday, September 10, 2014 11:33 AM
To: Richard J. Stacks; Arturo Alvarez; Thor Toepfer; Craig Sellers; Robert.misemer@usmc.mil; Curt Foster (Curt.Foster@rmetro.com); Wellton-Mohawk Irrigation District (egrubaug@wmidd.org)
Cc: Javier Barraza
Subject: Request for comments for V14-12

Please see the enclosed variance documents and provide comments if any.

Your assistance is appreciated, thank you.

Javier Barraza

From: Richard J. Stacks
Sent: Wednesday, September 10, 2014 12:58 PM
To: Javier Barraza
Subject: RE: Request for comments for V14-12

No comment from me.

Rick

From: Javier Barraza
Sent: Wednesday, September 10, 2014 11:33 AM
To: Richard J. Stacks; Arturo Alvarez; Thor Toepfer; Craig Sellers; Robert.misemer@usmc.mil; Curt Foster (Curt.Foster@rmetro.com); Wellton-Mohawk Irrigation District (egrubaug@wmidd.org)
Cc: Javier Barraza
Subject: Request for comments for V14-12

Please see the enclosed variance documents and provide comments if any.

Your assistance is appreciated, thank you.



YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

September 10, 2014

Attached for your consideration is a **Variance**. The Planning & Zoning staff would appreciate your review of this proposal and any comments you may have. Please check the applicable response below and return this form to me along with your comments (if applicable) by the deadline below. You may also provide your response and comments (if any) by e-mail. If you have no comment, please provide a "no comment" response. If you cannot respond by the deadline, please contact me.

CASE SUMMARY: Variance Case No. 14-12: Mike Gallagher of Wavelength Management agent for Robert & Deborah Nickerson Trust 4-05-00 requests a variance from the Yuma County Zoning Ordinance, Section 1115.05 (B) —Wireless Communication Facilities Setbacks requirement, to allow the reduction of the required front setback of 190' to 120' and the required side setback of 150' to 90' to allow for wireless communication tower 150' in height, on a parcel 20.58 gross acres in size zoned Rural Area-20 acre minimum (RA-20), Assessor's Parcel Number 182-01-004, located approximately 0.5 miles west of the intersection of County 3rd Street and Avenue 16E , Yuma, Arizona.

The applicant submitted the following intended use in the application: "Verizon wireless is proposing to construct a new 150' monopole. A new 12' by 26' prefabricated equipment shelter, and a new diesel generator inside the shelter. Verizon is seeking approval for a front and side setback variance for the monopole".

PUBLIC HEARING: October 21, 2014

COMMENTS DUE: September 16, 2014

COMMENTS DUE SEPTEMBER 16, 2014

☒ COMMENT ☐ NO COMMENT

Parcel is located within the Gila River Density Floodway and Special Flood Hazard Area. Development will need to comply with Floodplain Regulations for Yuma County.

DATE: Sept 10, 2014

NAME: Craig Sellers

Please return your response within 4 days to: Karen Hemby, Associate Planner, Department of Development Services, 2351 W. 26th Street, Yuma, AZ 85364 or by E-mail Javier.Barraza@yumacountyaz.gov



YUMA COUNTY
Planning & Zoning Division
REQUEST FOR COMMENTS

September 10, 2014

Attached for your consideration is a **Variance**. The Planning & Zoning staff would appreciate your review of this proposal and any comments you may have. Please check the applicable response below and return this form to me along with your comments (if applicable) by the deadline below. You may also provide your response and comments (if any) by e-mail. If you have no comment, please provide a "no comment" response. If you cannot respond by the deadline, please contact me.

CASE SUMMARY: Variance Case No. 14-12: Mike Gallagher of Wavelength Management agent for Robert & Deborah Nickerson Trust 4-05-00 requests a variance from the Yuma County Zoning Ordinance, Section 1115.05 (B) —Wireless Communication Facilities Setbacks requirement, to allow the reduction of the required front setback of 190' to 120' and the required side setback of 150' to 90' to allow for wireless communication tower 150' in height, on a parcel 20.58 gross acres in size zoned Rural Area-20 acre minimum (RA-20), Assessor's Parcel Number 182-01-004, located approximately 0.5 miles west of the intersection of County 3rd Street and Avenue 16E , Yuma, Arizona.

The applicant submitted the following intended use in the application: "Verizon wireless is proposing to construct a new 150' monopole. A new 12' by 26' prefabricated equipment shelter, and a new diesel generator inside the shelter. Verizon is seeking approval for a front and side setback variance for the monopole".

PUBLIC HEARING: October 21, 2014

COMMENTS DUE: September 16, 2014

____COMMENT

____NO COMMENT

DATE:_____ NAME:_____

Please return your response within 4 days to: Karen Hemby, Associate Planner, Department of Development Services, 2351 W. 26th Street, Yuma, AZ 85364 or by E-mail Javier.Barraza@yumacountyaz.gov